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**IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
FIFTH APPELLATE DISTRICT**

THE PEOPLE,

Plaintiff and Respondent,

v.

JESUS MARIO VILLARREAL, JR.,

Defendant and Appellant.

F058288

(Super. Ct. No. 1092502)

**ORDER MODIFYING OPINION
[NO CHANGE IN JUDGMENT]**

BY THE COURT:

It is ordered that the nonpublished opinion filed on February 2, 2011, is modified as follows:

The second complete sentence on page 9, which begins with the words, “The major factual premise,” is deleted, and in place of that sentence is substituted the following:

The major factual premise of the People’s argument—that it was not until after judgment that appellant sought the appointment of substitute counsel to assist him in seeking an order allowing him to withdraw his plea—is false.

This modification does not change the judgment.

CORNELL, Acting P.J.

WE CONCUR:

DAWSON, J.

KANE, J.